



APPROVED MINUTES

SUNNYVALE PLANNING COMMISSION

The Planning Commission met in regular session in the Council Chambers, City of Sunnyvale, 456 W. Olive Avenue, Sunnyvale, CA on **March 27, 2006** at 8:00 p.m. with Chair Hungerford presiding over the meeting.

ROLL CALL

Members Present: Chair Charles Hungerford; Vice Chair James Fussell; Commissioner Larry Klein; and Commissioner Brandon Sulser

Members Absent: Commissioner Laura Babcock and Commissioner David Simons, excused absences

Staff Present: Trudi Ryan, Planning Officer; Rebecca Moon, Assistant City Attorney; Gerri Caruso, Principal Planner; Jamie McLeod, Associate Planner; and Debbie Gorman, Recording Secretary

SCHEDULED PRESENTATION

None

PUBLIC ANNOUNCEMENTS

Chair Hungerford said that the Study Session that precedes each Planning Commission meeting typically has a time at the end of the session for the public to provide comment regarding the Study Session items. He said that the Study Session this evening went long and did not afford the opportunity for the public to comment. He offered the public the opportunity to comment about the Study Session at this time.

Harriet Rowe, a Sunnyvale resident, said that she attended the Study Session this evening. She commented on the proposed development discussed stating she supported the discussion of the need for larger windows, and asked the Planning Commission to carefully consider the proposed roof style and color. She commented that she lives in an area that has a homeowner's association and heard that a state law has changed that requires that garages remain available for parking and not used as storage. She asked if this law applies to buildings in the City that are not part of an association and how this law affects the City of Sunnyvale and the use of garages. She requested this issue be addressed on a later date.

CITIZENS TO BE HEARD

None.

CONSENT CALENDAR

APPROVAL OF DETAILED MINUTES of the Special Meeting of March 6, 2006 and the MINUTES of March 13, 2006.

ACTION: Comm. Sulser made a motion to approve the detailed minutes of the Special Meeting of March 6, 2006. Comm. Klein seconded. Motion carried unanimously, 4-0, Comm. Babcock and Comm. Simons absent.

ACTION: Comm. Klein made a motion to approve the minutes of the Planning Commission meeting of March 13, 2006. Comm. Sulser seconded. Motion carried unanimously, 4-0, Comm. Babcock and Comm. Simons absent.

PUBLIC HEARINGS/GENERAL BUSINESS

- 1. 2006-0164 – Dan Winklebleck** [Applicant]: Application for a Design Review on a 7,584 square-foot site to allow a second-story addition for a total of 3,455 square feet which results in a 46% Floor Area Ratio where less than 45% may be allowed without Planning Commission review. The property is located at **1081 Westchester Drive** in an R-1 (Low-Density Residential) Zoning District. (APN: 202-30-049) RK

ACTION: Vice Chair Fussell made a motion on 2005-0164 to approve the Design Review with the attached conditions. Comm. Sulser seconded. Motion carried unanimously, 4-0, Comm. Babcock and Comm. Simons absent.

APPEAL OPTIONS: This item is appealable to City Council no later than April 11, 2006.

- 2. 2006-0106 – American Brands Construction** [Applicant]: Application for a Special Development Permit on a 3,750 square-foot site to allow a 171 square foot sunroom addition on an existing planned development single-family home which results in 67% Floor Area Ratio where less than 45% may be allowed without Planning Commission review. The property is located at **413 Offenbach Place** (near Manet Dr) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District. (APN: 211-35-050) RK

ACTION: Vice Chair Fussell made a motion on 2006-0106 to approve the Special Development Permit with the attached conditions. Comm. Sulser seconded. Motion carried unanimously, 4-0, Comm. Babcock and Comm. Simons absent.

APPEAL OPTIONS: This item is appealable to City Council no later than April 11, 2006.

3. 2005-1048 – Jeffery Morris [Applicant] Morris Associates IX [Owner]: Application on a 2.1-acre site for related proposals located at **595 Lawrence Expressway** (at Duane Ave) in an M-S (Industrial & Service) Zoning District. (Negative Declaration) (APN: 205-23-017) JM; **(Continued from March 13, 2006.)**

- **Special Development Permit** to construct a new 22,590 square-foot shopping center,
- **Rezone** from M-S (Industrial & Service) to M-S/PD (Industrial & Service/Planned Development) Zoning District

ACTION: Vice Chair Fussell made a motion on 2005-1048 to continue the item to April 10, 2006. Comm. Klein seconded. Motion carried unanimously, 4-0, Comm. Babcock and Comm. Simons absent.

APPEAL OPTIONS: None, item continued to April 10, 2006.

4. Study Issue: 2004-0167 - Zoning Tools to Encourage the Development of Ownership Housing

ACTION: Comm. Klein made a motion on 2004-0167 to continue the item to April 24, 2006. Comm. Sulser seconded. Motion carried unanimously, 4-0, Comm. Babcock and Comm. Simons absent.

APPEAL OPTIONS: None, item continued to April 24, 2006.

5. Planning Commissioner attendance at City Council Meetings

ACTION: Comm. Klein made a motion for the Planning Commission Chair to be the designated representative of the Planning Commission at City Council meetings to speak on items heard by the Planning Commission. If the Chair is unable to attend the Council meeting, the Chair will appoint a representative. The first alternate for the representative will be the maker of the motion for each specific item. If the maker of the motion is not able to attend then the Chair will contact staff to contact alternate Planning Commissioners to attend the Council meeting to speak on the behalf of the majority of the motion. The Commission directed staff to include an agenda item, "Planning Commission Attendance at City Council Meetings" to be included on the next three meetings of April 10, April 24 and May 8. Vice Chair Fussell seconded. Motion carried unanimously, 4-0, Comm. Babcock and Comm. Simons absent.

APPEAL OPTIONS: This item is not appealable.

Staff reviewed with the Commission the Planning related items to be heard at upcoming City Council meetings.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Ms. Ryan reported that on March 21, 2006 the City Council considered a Study Issue regarding Places of Assembly (POA) in Commercial and Industrial zones. She discussed the issue and explained that there was lengthy conversation regarding the recommendation for rezoning studies to commence for specific properties. The properties proposed are zoned residential, occupied by a POA and are being considered for the possibility of being rezoned to a Public Facility (PF) zone. She said after discussion, the Council removed one of the properties recommended for review for rezoning. She said that staff hopes to return to the Planning Commission and to City Council in several months to apply the POA Combining District. She said Council also considered an appeal of a Planning Commission decision denying a variance for a shed on Lakechime. Council upheld the decision of the Planning Commission, but allowed the applicant a two-year stay for removal of the shed with the applicant assuming all liability and risk for the shed. Council also approved a General Plan Amendment Initiation for a site located at 495 Central Avenue, and a Rezone and Special Development Permit for a four-unit development at 563 Alberta Avenue, which was approved as recommended by the Planning Commission.

Ms. Ryan reminded the Planning Commissioners of their invitation to the Volunteer Reception scheduled for April 25, 2006 at the Sunnyvale Senior Center. She advised that the date for the Joint Study Session with Council and the Planning Commission is still being determined, but will probably be in May 2006.

Ms. Ryan reported, under Agenda Item #5, that the upcoming Planning related items are scheduled for the following City Council meetings:

March 28, 2006 - Zoning for Service Uses Study Issue;

April 4, 2006 – Tree Preservation Ordinance Study Issue;

April 11, 2006 – Zoning Tools for Home Ownership Study Issue (requesting continuance to May 9, 2006); a Special Development Permit and Rezone for 595 Lawrence Expressway (requesting continuance to April 25, 2006); and an application to initiate a General Plan Amendment study to change the Land Use Designation for 740, 750 and 760 San Aleso Avenue from Industrial to Medium Density Residential.

Ms. Ryan added that on March 28, 2006 staff is requesting an Extension of the Moratorium on Places of Assembly in the Commercial/Industrial Zoning Districts and Amusement/Recreation Uses in Industrial Zoning Districts to April 27, 2006. This item was not considered by the Planning Commission.

Other Staff Oral Report

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Trudi Ryan
Planning Officer